

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Northern Division

ALEXANDRA DEITEMYER

Plaintiff

v.

STEVEN RYBACK, ET AL.,

Defendants

Case No. ELH-18-CV-2002

THE PARTIES' JOINT STATUS REPORT

The Parties, pursuant to this Court's August 27, 2019, Scheduling Order, hereby respectfully submit this Joint Status Report.

(1) As of January 2020, all discovery has been completed except Plaintiff objects to a response of the Defendant Transworld Systems, Inc. Plaintiff hereby states:

At Request for Admission #2, I asked TSI to "Admit that Your business involved the collection of thousands of debts from thousands of Persons for third parties." TSI's response was "Admitted only that TSI engages in third party collections." This raises further questions in order to clarify and support a finding that TSI is liable under the statute as a debt collector in the first place. If not thousands, then how many? Further discussion revealed TSI seems to have a problem admitting to collecting "debts" as opposed to "accounts." This is unsatisfactory. I did not receive TSI's responses to my discovery (served on Nov. 26, 2019) until Jan. 14, 2020. Respectfully, I object, and need more time to complete discovery with TSI. With the Court's permission I will make more requests to obtain the facts in writing but may have to resort to a deposition. This will delay completion of this discovery phase and raise the cost of litigation considerably.

TSI Response: Plaintiff would not discuss the above discovery issue by phone, but counsel for TSI exchanged multiple emails with plaintiff in an effort to resolve Plaintiff's issues with TSI's response to Request for Admission No. 2. Ultimately, TSI served

a supplemental response: "Admitted only that TSI engages in third party collections and when so engaged it has attempted collections of thousands of accounts." TSI believes the response fully and fairly responds to the admissions request and addresses the issue as counsel for TSI understands it. Nonetheless, in an effort to further clarify, TSI advised Plaintiff that: "TSI denies it is a FDCPA debt collector with respect to your claims." TSI will shortly file a motion for summary judgment. If Plaintiff thereafter identifies a factual issue that reasonably requires further discovery in order to respond to the motion, TSI has no objection to same.

- (2) There are currently no motions pending.
- (3) Both the Bierer Defendants (i.e., Jonathan Bierer, Steven Ryback and the Bierer Law Group, P.A.) and Transworld Systems, Inc. will be filing Motions for Summary Judgment.
- (4) The parties estimate that trial will last two (2) days.
- (5) The Defendants do not believe that the case can be settled. Plaintiff believes the case can be settled.

Respectfully submitted

/s/ Daniel Hodges

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/s/ Alexandra Deitemyer
Alexandra Deitemyer (pro se Plaintiff)
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of January, 2020, a copy of the foregoing Joint Status Report was served via electronic PACER filing and via first class mail on:

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/s/
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